

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 17-1426V
(not to be published)

On July 24, 2019, Special Master Dorsey ruled that the onset of Petitioner's shoulder injury occurred within 48 hours of vaccination. ECF No. 39. On October 9, 2020, Respondent filed an amended Rule 4(c) Report. Amended Resp't's Rep., ECF No. 57.

In the Amended Rule 4(c) Report, Respondent advised that "he will not defend this case on other grounds during further proceedings before the Office of Special Masters," but reserved his right to appeal the factual finding. Amended Resp't's Rep. at 2. Respondent indicated that Petitioner "has otherwise satisfied the criteria set forth in the Vaccine Injury Table and the Qualifications and Aids to Interpretation ("QAI") for SIRVA." *Id.* Respondent requested that I decide the issue of entitlement based on the existing record. *Id.*

In view of Respondent's position and the evidence of record, I find that the Petitioner is entitled to compensation.

IT IS SO ORDERED.

s/ Katherine E. Oler

Katherine E. Oler

Special Master